

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FEET TO 18 FEET FOR A PROPOSED ADDITION IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); (CHARLES & DANIELLE DOBBS, APPLICANTS).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Francisco Torregrosa **EXT.** 7389

Agenda Date 02-23-04 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FEET TO 18 FEET FOR A PROPOSED ADDITION IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); (CHARLES & DANIELLE DOBBS, APPLICANTS); OR
2. **DENY** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FEET TO 18 FEET FOR A PROPOSED ADDITION IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); (CHARLES & DANIELLE DOBBS, APPLICANTS); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(District 4 – Henley)

(Francisco Torregrosa, Planner)

GENERAL INFORMATION	APPLICANT: CHARLES & DANIELLE DOBBS LOCATION: 2945 WAUMPI TRAIL ZONING: R-1A (SINGLE-FAMILY DWELLING DISTRICT) DOMMERICH HILLS
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT A 555 SF (15 FOOT X 37 FOOT) ADDITION, WHICH WOULD ENCROACH 12 FEET INTO THE 30 FOOT MINIMUM REAR YARD SETBACK. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	<ul style="list-style-type: none"> • THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF THE REQUESTED VARIANCE. STAFF HAS DETERMINED THAT: <ul style="list-style-type: none"> ◦ THE GRANTING OF THE REQUESTED VARIANCE WOULD CONFER ON THE APPLICANT SPECIAL PRIVILEGES THAT ARE DENIED TO OTHERS IN THE

	<p>DOMMERICH HILLS DEVELOPMENT.</p> <ul style="list-style-type: none">○ THE APPLICANT WOULD RETAIN REASONABLE USE OF THE SUBJECT PROPERTY WITHOUT THE REQUESTED VARIANCE.○ THE PROPOSED ADDITION WOULD BEGIN A TREND OF ENCROACHMENT INTO THE MINIMUM REAR SETBACK WITHOUT THE DEMONSTRATION OF A HARDSHIP.
STAFF RECOMMENDATION	<p>STAFF THEREBY RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE REQUESTED REAR YARD SETBACK VARIANCE, BASED ON THE STATED FINDINGS.</p> <p>IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE IMPOSITION OF THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none">• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED ADDITION AS DEPICTED ON THE ATTACHED SITE PLAN; AND• ANY ADDITIONAL CONDITION(S) DEEMED APPROPRIATE BY THE BOARD, FOLLOWING INFORMATION PRESENTED AT THE PUBLIC HEARING.



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7444 FAX
 APPL. NO. BY2004-008

COPY

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division.

APPLICATION TYPE:

☒ **VARIANCE** BACKYARD SETBACK VARIANCE from 30 ft. to 15' & Relocate
for enlarging the master bedroom and add a closet and bathroom

☐ **SPECIAL EXCEPTION** for proposed addition.

☐ **MOBILE HOME SPECIAL EXCEPTION**

☐ EXISTING ☐ PROPOSED ☐ REPLACEMENT

MOBILE HOME IS FOR

YEAR OF MOBILE HOME SIZE OF MOBILE HOME

ANTICIPATED TIME MOBILE HOME IS NEEDED

PLAN TO BUILD ☐ YES ☐ NO IF SO WHEN

MEDICAL HARDSHIP ☐ YES (LETTER FROM DOCTOR REQUIRED) ☐ NO

☐ **APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT
NAME	CHARLES & DANIELLE DOBBS	
ADDRESS	2945 WAUMPI TR.	
	MAITLAND, FL 32751	
PHONE 1	(407) 629-4820	
PHONE 2		
E-MAIL		

PROJECT NAME: DOBBS HOME ADDITION

SITE ADDRESS: 2945 WAUMPI TRAIL

CURRENT USE OF PROPERTY: RESIDENTIAL

LEGAL DESCRIPTION: The South 101 feet of Lot 2, Block F

DAMMERICH HILLS SIXTH ADDITION (BOOK 14, PAGE 75)

SIZE OF PROPERTY: 0.3 acre(s) PARCEL I.D. 28-21-30-502-0F00-002 A

UTILITIES: ☒ WATER ☐ WELL ☐ SEWER ☒ SEPTIC TANK ☐ OTHER

KNOWN CODE ENFORCEMENT VIOLATIONS NONE

IS PROPERTY ACCESSIBLE FOR INSPECTION ☒ YES ☐ NO

This request will be considered at the Board of Adjustment regular meeting on FEB 23, 2004
 (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole
 County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within
 this application are true and correct to the best of my knowledge.

Charles M. Robb
 SIGNATURE OF OWNER OR AGENT*

1/2/04
 DATE

* Proof of owner's authorization is required with submittal if signed by agent.

ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

VARIANCE 8:

APPEAL FROM BOA DECISION TO BCC

	PROPERTY OWNER	AUTHORIZED AGENT
NAME		
ADDRESS		
PHONE 1		
PHONE 2		
E-MAIL		

NATURE OF THE APPEAL _____

BCC PUBLIC HEARING DATE _____

FOR OFFICE USE ONLY

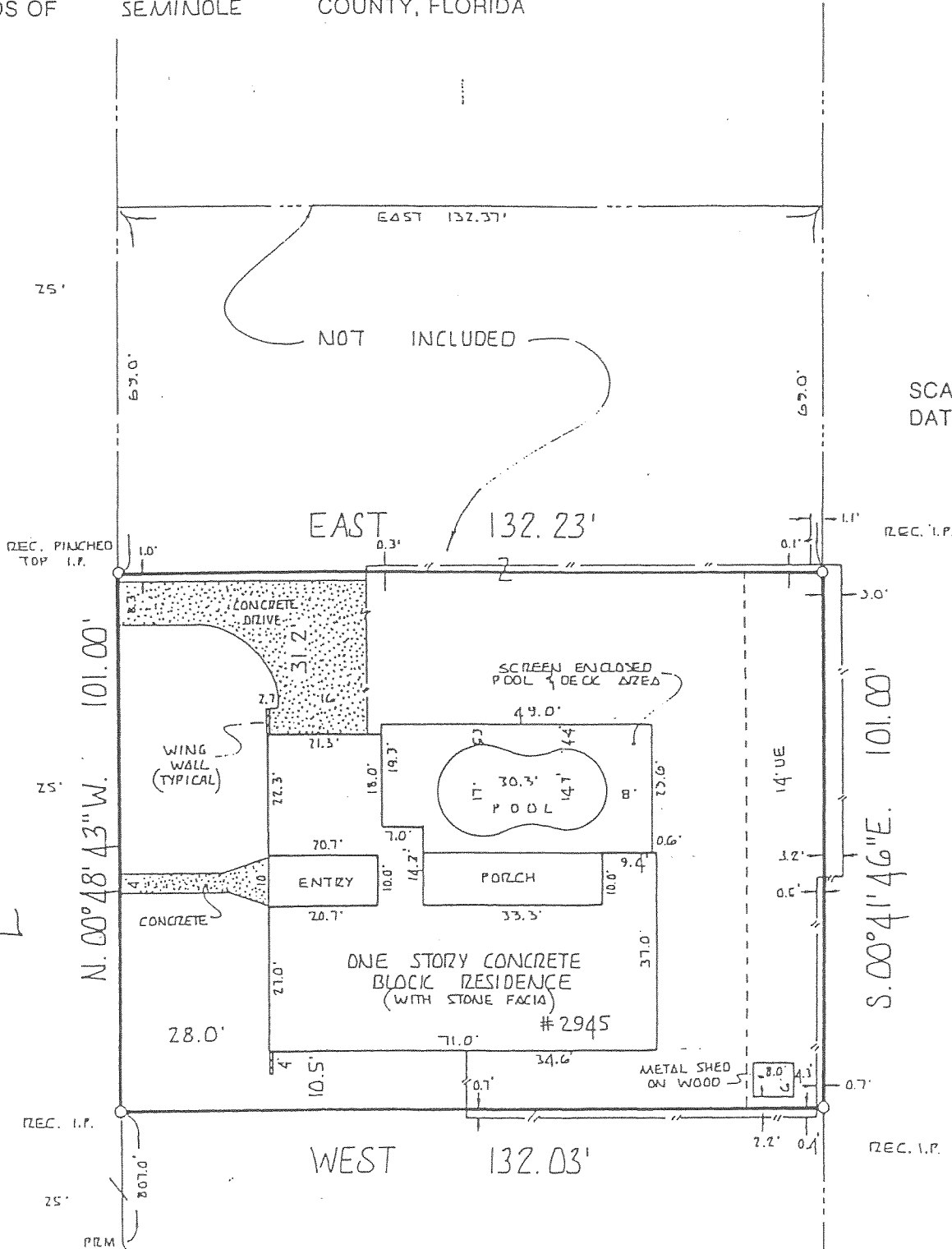
PROCESSING:

FEE: 4150 COMMISSION DISTRICT 4 FLU/ZONING LDR/RIA
 LOCATION FURTHER DESCRIBED AS LOCATED ON THE EAST SIDE OF
WAUMPE TRAIL APPROX. 1.5 S. OF THE INTERSECTION
OF MODAC TRAIL
 PLANNER Y B DATE 1/2/04
 SUFFICIENCY COMMENTS _____

DESCRIPTION THE SOUTH 1 FEET OF LOT 2, BLOCK "F"
DOMMERICH HILLS SIXTH ADDITION

RECORDED IN PLAT BOOK 14 PAGE(S) 75
PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA

WAUMPI TAIL



SCALE 1"=30'
DATE 10-24-91

NOT PLATTED

- SET REBAR
REC.
C.M.
I.P.
P.
RA
V.R.
- LEGEND --
= 5/8" REBAR W/ CAP #PLS 4200
= "RECOVERED"
= "CONCRETE MONUMENT"
= "IRON PIPE"
= "POINT ON LINE"
= "RADIAL"
= "NON RADIAL"
= BOUNDARY LINE
= EASEMENT LINE
= CENTER LINE
= RIGHT-OF-WAY
= "UTILITY EASEMENT"
= "DRAINAGE EASEMENT"
= "OVERHEAD POWER LINE"

THIS PROPERTY LIES IN ZONE "C"
PER F.I.R.M. COMMUNITY PANEL NO. 120289
0140B DATED 5-5-81

BEARINGS IF SHOWN, ARE ASSUMED AND BASED ON RECORDED PLAT, UNLESS OTHERWISE NOTED.

THIS BUILDING DOES NOT LIE WITHIN THE ESTABLISHED 100 YEAR FLOOD PLAIN ZONE.

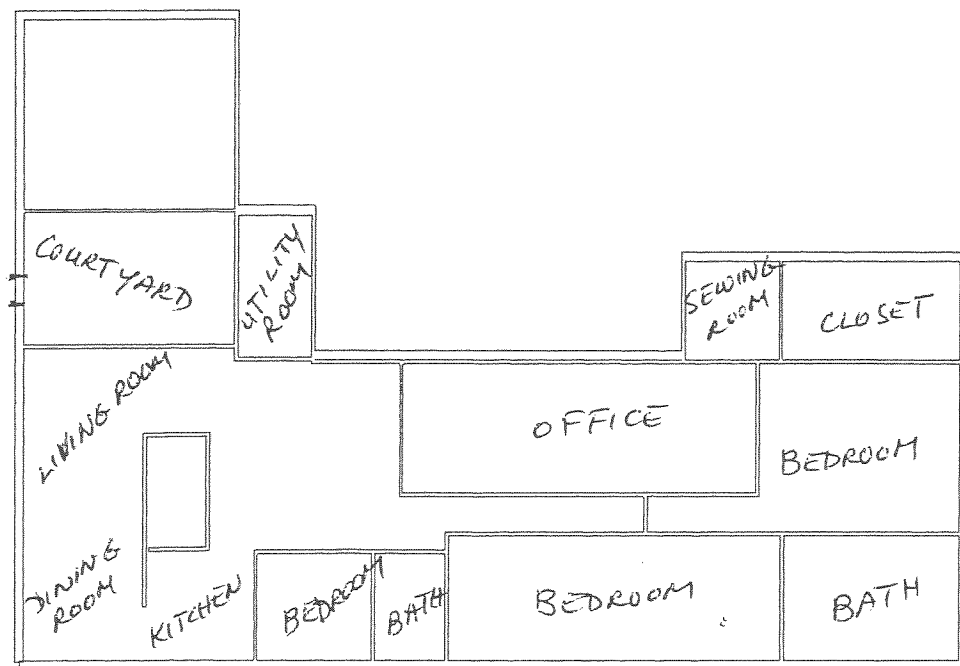
SURVEY BASED ON LEGAL DESCRIPTION SUPPLIED BY CLIENT.

FILE NO. 1559

2945 WAUMPI TRAIL
MAITLAND, FL 32751

4
N

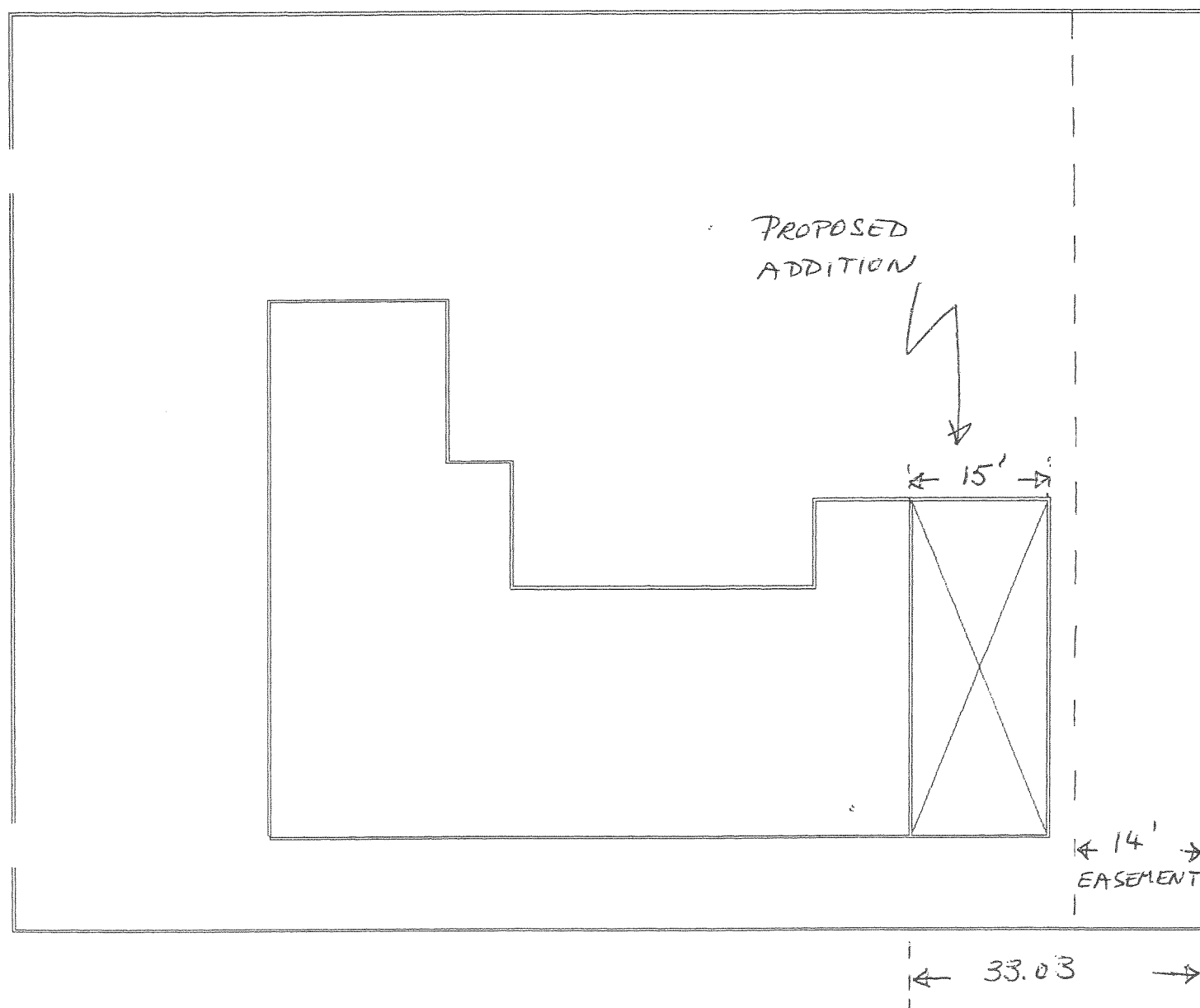
APPROXIMATE SCALE


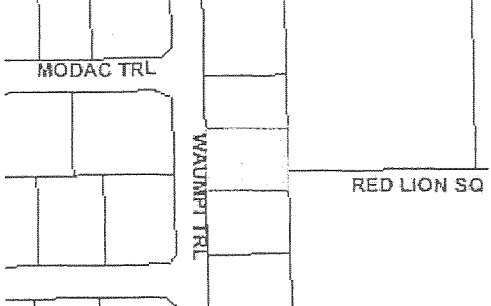





2945 WAUMPI TRAIL
MAITLAND, FL 32751

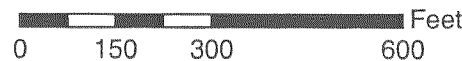
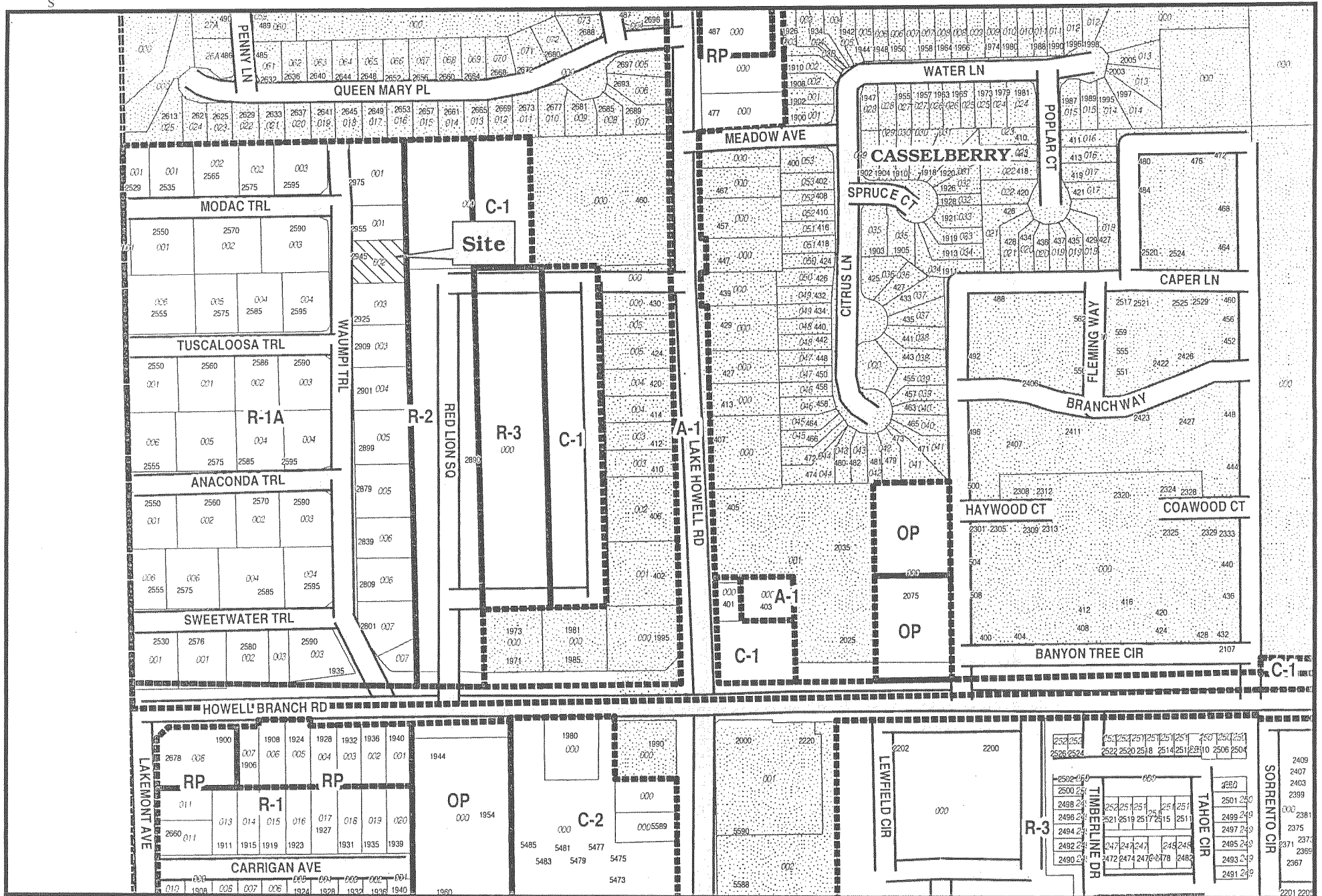
APPROXIMATE SCALE



PARCEL DETAIL	REAL ESTATE PERSONAL PROP. TAX ROLL SALES SEARCH	Back																																				
 <p>Seminole County Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-668-7506</p>																																						
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 28-21-30-502-0F00-002A Tax District: 01-TX DIST 1 - COUNTY</p> <p>Owner: DOBBS CHARLES N & DANIELLE S Exemptions: 00-HOMESTEAD</p> <p>Address: 2945 WAUMPI TRL</p> <p>City,State,ZipCode: MAITLAND FL 32751</p> <p>Property Address: 2945 WAUMPI TRL MAITLAND 32751</p> <p>Subdivision Name: DOMMERICH HILLS 6TH ADD</p> <p>Dor: 01-SINGLE FAMILY</p>		<p style="text-align: center;">2004 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$108,632</p> <p>Depreciated EXFT Value: \$6,264</p> <p>Land Value (Market): \$38,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$152,896</p> <p>Assessed Value (SOH): \$114,685</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$89,685</p>																																				
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<p><small>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</small></p>																																						



Charles & Danielle Dobbs 2945 Waumpi Trail



VARIANCE REQUEST

A. VARIANCE

Back yard setback variance from 33.03 feet to 18 feet for the purpose of enlarging a master bedroom and allow a large office for a home-based business.

B. APPLICANT CONTACT INFORMATION

Charles and Danielle Dobbs

2945 Waumpi Trail, Maitland, FL 32751

Tel: (407) 629-4820

E-mail: cdobbs@cfl.rr.com

C. PROJECT NAME: Home *addition*

D. SITE ADDRESS: 2945 Waumpi Trail, Maitland, FL 32751

E. CURRENT USE OF PROPERTY: Residential

F. LEGAL DESCRIPTION: The South 101 feet of Lot 2, Block F Dommerich Hills Sixth Addition (Book 14, Page 75)

G. SIZE OF PROPERTY: 101 " X 132.23'

H. DIMENSIONS OF THE LOT OR PARCEL: 101' X 132.23'

I. ARROW INDICATING NORTH: See survey

J. LOCATION AND NAME OF ABUTTING STREETS OR ROADS: None

K. LOCATION AND SIZE OF EXISTING OR PROPOSED SEPTIC SYSTEM:
Front yard to the right side of the house.

L. LOCATION, SIZE AND TYPE OF ANY TREES TO BE REMOVED OR
RETAINED: Grapefruit tree to be removed.

M. LOCATION AND WIDTH OF ALL EASEMENTS:
14 foot utility easement over the rear lot line as shown on survey.

N. LOCATION AND WIDTH OF EXISTING DRIVEWAY ACCESS:
Front side of the house.

O. PARCEL ID: 28-21-30-502-0F00-002A

P. IDENTIFICATION OF AVAILABLE UTILITIES:
Florida Power, city of Casselberry water

Q. DESCRIPTION OF KNOWN CODE VIOLATIONS: None

R. IS PROPERTY ACCESSIBLE FOR INSPECTION: Yes

S. Application fees: \$150 enclosed

T. AUTHORIZATION FORM: N/A

U. SITE PLAN: Attached

V. LAND DEVELOPMENT CODE:

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On February 23, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG S 101 FT OF LOT 2 BLK F DOMMERICH HILLS 6TH ADD PB 14
PG 75

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: CHARLES & DANIELLE DOBBS
2945 WAUMPI TRAIL
MAITLAND, FL 32751

Site Address: 2945 WAUMPI TRAIL

Requested Development Approval:

1. REAR YARD SETBACK VARIANCE FROM 30 FEET TO 18 FEET FOR AN PROPOSED ADDITION; AND

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Kathy Fall
1101 East First Street
Sanford, Florida 32771

Order**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

ANY VARIANCE GRANTED SHALL APPLY ONLY TO THE PROPOSED ADDITION, AS DEPICTED ON THE ATTACHED SITE PLAN.

- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Matthew West
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Matthew West who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2004.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: